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UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO

		X
MALIBU MEDIA, LLC,		: : Civil Action No. 1:14-cv-00569-TSB
	Plaintiff,	·
VS.		Granted at Sithant
RICHARD BROSHEAR,		: unopport L. The
	Defendant.	Faring/15

PLAINTIFF'S MOTION TO STRIKE AFFIRMATIVE DEFENSES

Plaintiff Malibu Media, LLC ("Plaintiff"), by and through undersigned counsel and pursuant to Federal Rule of Civil Procedure 12(f), moves for the entry of an order striking the affirmative defenses asserted by Defendant Richard Broshear ("Defendant"), and states as follows:

I. <u>INTRODUCTION & PROCEDURAL BACKGROUND</u>

Plaintiff commenced this copyright infringement action against Defendant on July 10, 2014 [CM/ECF 1], and filed an amended complaint on October 30, 2014, through which it alleges that Defendant has copied and distributed forty eight (48) of Plaintiff's copyrighted works, all without Plaintiff's consent [CM/ECF 7]. Plaintiff asserts a claim for direct copyright infringement, and requests that (i) Defendant delete and permanently remove, and be enjoined from continuing to infringe, Plaintiff's copyrighted works and (ii) Plaintiff be awarded its statutory damages and reasonable attorneys' fees and costs pursuant to 17 U.S.C. §§ 504–05 [Id.].